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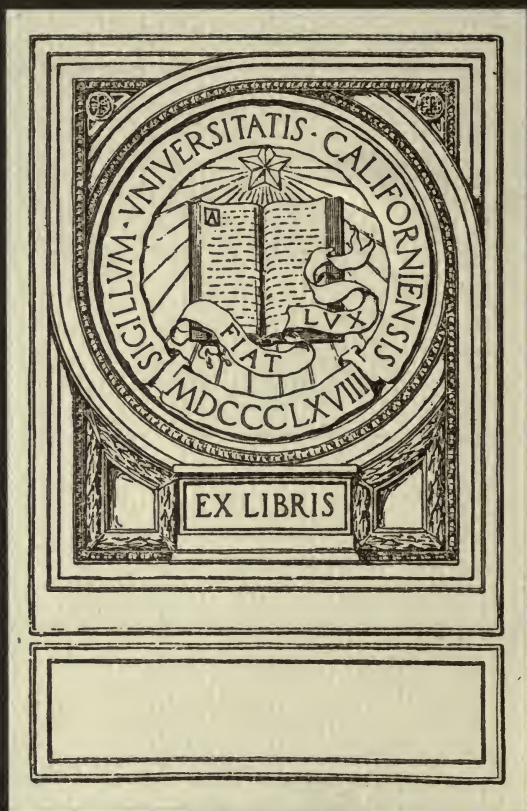
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Virginia. Laws, statutes, etc.

Amendments to School Laws. OF

[Acts of Assembly, 1916]

AND TO

Regulations of the State Board of Education.

PUBLISHED AS A SUPPLEMENT TO

Virginia School Laws, 1915

BY ORDER OF THE

State Board of Education

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MAY 21 1930

UNIVERSITY
OF VIRGINIA

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Amendments to School Laws

[Acts of Assembly, 1916.]

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF PUBLIC INSTRUCTION,

RICHMOND, *February*, 1917.

[The amendments are printed in this Bulletin in the order followed in Virginia School Laws, 1915, the changes being indicated by *italics*.]

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Amendments to School Laws

Selection of Text-Books and Educational Appliances

(Substitute for sub-sec. "Sixth," sec. 7, p. 17, School Laws.)

Under powers and duties of Board of Education.

Sixth. To select text-books and educational appliances for use in the public schools of the State of Virginia, exercising such discretion as it may see fit in the selection of books suitable for the schools in the cities and counties, respectively, subject to the conditions and restrictions hereinafter set forth; but no text-books which may hereafter be adopted for use in any public free school in the State of Virginia shall be changed or substituted until the same shall have been used for a period of not less than four years.—Code, sec. 1433; Acts 1916, p. 836.

(Other paragraphs of the foregoing sub-sec. as printed in the School Laws were not re-enacted by the act of 1916.)

Purchase of Local School Bonds for Literary Fund Creates Lien in Favor of Fund

(Substitute for sub-section "Eleventh," sec. 7, p. 19, School Laws.)

Under powers and duties of Board of Education:

Eleventh. To invest the capital and unappropriated income of the literary fund in bonds of this State, or of the United States, or in bonds of railroad companies, secured by first mortgages, whose market value for six months preceding the investment has not been less than ninety cents on the dollar, or in bonds made by one or more of the district school boards of the different school districts in this State, *and when such school bonds are purchased on account of the literary fund, a lien in favor of said fund is hereby created against all the funds and income of said district*, as well as upon the property upon which said loan is made. The said board may call in any such investment, or any heretofore made, and re-invest the same, as aforesaid, whenever deemed proper for the preservation, security or improvement of the said fund. Whenever, in accordance with this section, the board shall invest as aforesaid in bonds of this State no premium shall be required or paid on such investment. All securities for money belonging to the literary fund shall be deposited with the second auditor for safe-keeping, who shall return with his annual report a list thereof with a statement of their value.—Code, sec. 1433; Acts 1916, p. 836.

Division Superintendents—Appointment, Term, Qualifications, Etc.

(Substitute for sec. 17, p. 26, School Laws.)

Within thirty days before April first, nineteen hundred and seventeen, and every four years thereafter, the State board of education shall, subject to the confirmation of the Senate, appoint one division superintendent of schools for each school division that the State board may, in its discretion, establish according to law, provided that no Federal officer, except a fourth-class postmaster, no supervisor, or county or State officer, except a notary public, or any deputy of said officers shall be chosen or allowed to act as division superintendent of schools. In the event that the State board of education fails to elect a division superintendent for each division on or before April first of the year in which said election is due to take place, the division superintendent of schools then in office for each division in which the board fails to elect according to law shall be declared elected for the succeeding four years from July first of said year, provided he is an applicant. In the event the board fails to make in the time specified an election in any school division where the former superintendent is not an applicant, either because of a dead-lock or the lack of a duly qualified applicant, the board is instructed to attach said division to some one of the adjacent school divisions. The board shall not consider for division superintendent of schools any man who does not hold, or has not held, a State teacher's license the equivalent of a first-grade certificate, or who has not already held the office of division superintendent, or who has not been a teacher for such number of years as the board may designate, and in order that an applicant for the position of division superintendent may know what qualifications are required of him, the State board of education is hereby required to publish on the first day of February of the year in which said election is to take place, a statement showing the minimum qualifications for the position of division superintendent of schools, which statement shall be furnished to all applicants on request.

The term of office of the said division superintendent shall be four years from the first day of July following his appointment.

The office of any division superintendent shall be deemed vacant upon the refusal of the Senate to confirm his nomination, his removal from the division for which he was appointed, his engaging in any other business or employment during his term of office as such superintendent, unless such superintendent shall have been accepted under the provisions of sub-section first of section fourteen hundred and thirty-three of the Code of Virginia as amended, his resignation or his removal from office by the State board of education. Every division superintendent, before entering upon the discharge of the duties of his office, shall take and subscribe the oath prescribed for all officers of the State, which oath shall be

made and subscribed before a circuit or corporation court having jurisdiction in his division, or before the judge or clerk thereof in vacation. As soon as the oath shall have been taken, subscribed and certified, a minute of the fact shall be entered in the records of said court and a certificate of the clerk setting forth the qualification and its record shall be furnished the superintendent of public instruction for record in his office.—Code, sec. 1437; Acts 1916, p. 789.

Annual Meeting of County School Board in July

(Amends sec. 37, p. 32, School Laws.)

The board shall hold a regular annual meeting *in the month of July*, the exact date to be fixed by the board itself, or, in default thereof, by the president.—Code, sec. 1445; Acts 1916, p. 726.

Annual Report of County School Board on or Before September First

(Amends sec. 38, p. 32, School Laws.)

The board shall make an annual report to the superintendent of public instruction, through the division superintendent of schools, on or before the *first* day of September of each year, which shall give in detail its official acts for the year closing the *thirtieth* day of *June* preceding.—Code, sec. 1446; Acts 1916, p. 492.

Loans From Literary Fund

(Substitute for sec. 67, p. 49, School Laws.)

Sec. 1. That the State board of education be, and it is hereby authorized to lend to the school boards of the school districts and cities in this State making application therefor, money belonging to the literary fund and in hand for investment for the purpose of erecting or *enlarging* school houses in such districts and cities, on the terms and conditions hereinafter set forth and subject to such rules and regulations as may be promulgated by the said board.

Sec. 2. The several school boards in this State, as aforesaid, are hereby authorized to borrow money belonging to the said literary fund, and the district or city school board desiring to borrow a part of said fund shall make written application to the State board of education and shall set forth therein (one) the amount of the proposed loan; (two) the plans and specifications, estimated cost and location of the building to be erected; and (three) facts showing the advisability of erecting the same.

Sec. 3. Upon the approval of the State superintendent of public instruction of the plans and specifications for the location of the proposed building and of the making of the loan, the State board of education may, in its discretion, make such loan: provided, that no such loan shall exceed the sum of *fifteen* thousand dollars, nor shall it exceed *two-thirds* of the cost of the school house *and any addition thereto*, and no loan shall be made to aid in the erection of a building or addition to cost less than two hundred and fifty dollars. *Whenever such loans are made for the purpose of enlarging a school house, any part of the proceeds of such loans may, in the discretion of the State board, be used to retire any previous loans on such school houses, although such previous loan may not have matured.*

Sec. 4. All loans not exceeding three thousand dollars shall bear interest at the rate of three per centum per annum, and all loans over said amount shall bear interest at the rate of four per centum per annum, payable on the.....day of....., the principal thereof shall be payable in fifteen annual installments, and shall be evidenced by bonds or notes payable to the Commonwealth of Virginia for the benefit of the literary fund—executed or signed by the chairman of the school boards of each district and attested by the clerk thereof. Payments of interest and principal shall be made to the State treasurer through the second auditor and evidences of debt taken for such loans shall be deposited with second auditor and kept by him.

Sec. 5. The school boards borrowing funds under the provisions of this act shall request the board of supervisors or the councils of their respective counties or cities or towns to cause a district tax to be levied sufficient to meet its liabilities on such contract; and in the event that such board shall fail to pay any installment of interest or principal promptly, then upon notice in writing to that effect from the second auditor or from the State superintendent of public instruction, the county or city treasurer or other person having the custody of the district funds of such district shall pay to the State treasurer, through the second auditor, any such past due installment of interest or principal out of any district funds in his hands belonging to the district or school board. The failure of the school board of a district or city, or the board of supervisors, or the council of a city or town, to provide for the payment of such loan shall be deemed a cause for removal from office.

Sec. 6. Before making any loan under this act, the State board of education shall be satisfied that the school district or board borrowing the fund has a good and sufficient title in fee to the real estate on which the proposed building is to be erected, *or that the same has been leased by the local school authorities for a period of twenty years or more, upon such terms that there is no liability of the loss of any money that may be loaned under the provisions of this act; and that the same is free from*

incumbrances, and shall take proper measure to secure the expenditures of the money for the purpose for which it is loaned; *and in cases where loans are made for the enlargement of school houses, previous loans thereon made from the literary fund shall not be considered an incumbrance within the meaning of this section, provided in no case shall the total amount of loans from the literary fund be in excess of the amount herein prescribed, nor more than two-thirds of the cost of such school house and the addition thereto.*

Sec. 7. The board of education by reasonable rules and regulations, shall provide for an equitable distribution of the funds loaned under this act amongst the several school districts and sections of the State.

Sec. 8. All loans made under this act, including interest thereon, shall constitute a specific lien on said school houses and any additions thereto and upon the school lots whereon said buildings are situated; and all such buildings shall be kept fully and adequately insured for the benefit of the literary fund of the Commonwealth of Virginia, and the policy or policies of insurance shall be kept on file in the office of the second auditor.

No loan shall be made under this act in any case in which the payment of the same with interest would, in the judgment of the State board of education, entail too heavy a charge upon the revenues of the school district to which such loan is granted.—Acts 1916, p. 378.

Districts Paying Tuition for High School Pupils May Participate in High School Fund

(Substitute for sub-sec. "Second," sec. 94, p. 76, School Laws.)

Sec. 2. Two or more districts in the same or adjoining counties may unite in establishing and maintaining a joint high school under the provisions of this act, and under such rules and regulations as may be prescribed by the State board of education, and the said board shall also prescribe the requirements for admission to such high school and the conditions on which properly prepared pupils residing in other districts may attend said high school, *and any school district not actually conducting high schools, but paying the tuition for their high school pupils in high schools of other districts, counties or cities, may be allowed to participate in the State high school fund, as though they were actually conducting high schools.*—Acts 1916, p. 396.

Treasurers and Clerks to Report to County School Board in July

(Amends sec. 117, p. 92, School Laws.)

This amendment simply provides that treasurers and clerks shall submit their annual reports, with books, vouchers, etc., to the county school board at its annual meeting to be hereafter held in *July* (instead of in August).—Code, sec. 1484; Acts 1916, p. 711.

Approximate Apportionment and Disbursement of State School Funds

(Substitute for sec. 132, p. 99, School Laws.)

The auditor of public accounts, on or before the first day of November of each year, shall make a calculation of the gross amount of all funds applicable to public free school purposes for the ensuing year, which calculation shall be based upon the State taxes assessed for school purposes upon persons, real estate, and tangible personal property, and the property of public service corporations other than the rolling stock of corporations operating railroads by steam; and the auditor of public accounts shall include in said calculation ten cents on every one hundred dollars of the assessed value of the rolling stock of corporations operating railroads by steam and a like amount on every one hundred dollars of the assessed value of the intangible personal property, and so far as said calculation shall be based upon the land and property books of the several commissioners of the revenue for said year, he shall base his calculations upon the commissioners' books of the next preceding year when said books have not been received in time. From the aggregate thus ascertained the auditor shall deduct as an allowance for delinquents ten per centum of the State tax for public free school purposes upon persons and real estate and upon tangible and intangible personal property: *provided, however, that no deduction shall be made for delinquents upon the property of public service corporations, including the rolling stock of corporations operating railroads by steam, or upon shares of bank stock*, and shall report to the superintendent of public instruction not later than the first day in November of each year the net amount of all funds found to be applicable to public free school purposes for the current year, after making the deductions herein provided for, as an approximate basis for distribution; whereupon, under the direction of the superintendent of public instruction, there shall be furnished to the auditor a distributive statement of the amounts due the several counties and cities in the State upon this approximate basis.

Upon receipt of such statement the auditor shall issue his warrant upon the treasurer of the State for one-half of the amount each city or county is entitled to receive, payable to the treasurer of such city or county; and on the first day of February following, the auditor shall issue his warrant upon the treasurer of the State for the other half of the amount each city or county is entitled to receive, payable to the treasurer of such city or county.—Code, sec. 1507; Acts 1916, p. 712.

County and District School Levies—Maximum May Be Made 75 Cents

(Amends sub-section "Third," sec. 136, p. 101, School Laws.)

Third. District funds, embracing such tax as shall be levied by the board of supervisors of the county for the purposes of the school district in pursuance of this section; such dog tax as shall be applied to school purposes by the board of supervisors, and donations, or the income arising therefrom, or any other funds that may be set apart for district school purposes.

The board of supervisors of each county, at the regular meeting in April of each year, or as soon thereafter as practicable, or when the division superintendent of schools shall file with the said board the estimates made by the county and district school boards in accordance with section fourteen hundred and sixty-six of this chapter (section 49, School Laws) shall levy a tax of not less than ten nor more than forty cents on the hundred dollars of the assessed value of the real and personal property in the county for the support of the public free schools of the county, and a tax of not less than fifteen nor more than thirty-five cents on the hundred dollars of the assessed value of the real and personal property in any school district for district school purposes; *provided, that should the board of supervisors levy a lower rate than forty cents on the one hundred dollars for county school purposes, then they may increase the levy for district school purposes above the maximum of thirty-five cents on the hundred dollars herein provided, in any district, to such rate as in their judgment may be necessary, provided the total rate of county and district levy shall not be more than seventy-five cents on the one hundred dollars in any district; and provided, further, that should the board of supervisors fail to make a levy sufficient to raise the amounts estimated by the county school board as necessary for county and district school purposes, respectively, it shall, upon a petition in writing from the county school board praying for a reference of the question of such increase in the levy as will make it sufficient to raise the said estimated amounts to the qualified voters of the county or of the district, as the case may be, submit the question and the amount of the increase to the qualified voters of the said county for the increase in the county levy, or to the qualified voters of the said district as to the increase in the district levy; provided, however, that the total levy for county and district school purposes shall not exceed seventy-five cents on the hundred dollars of the assessed value of the taxable property in both the county and the district; provided, further, that no such increased levy shall be made unless a majority of the qualified voters voting at the election shall vote in the affirmative. In towns that constitute single school-districts the council instead of the board of supervisors may make the levy for district school purposes.*

Boards of supervisors may be permitted to make a less rate of levy than the minimum rates of county or district school levies named above in any case by a special order of the State board of education, if in the judgment of said board the said less rate of levy will produce sufficient funds to provide adequate school facilities in the county or district concerned.—Code, sec. 1506; Acts 1916, p. 389.

Boards of Supervisors Authorized and Empowered to Make Certain Appropriations to Public Schools

(Approved March 21, 1916.)

(Following sec. 136, p. 101, School Laws.)

The board of supervisors of any county may, in its discretion, appropriate to the support and maintenance of the schools in any school district of the county, such sums as in its judgment may be necessary or expedient; provided, the amount appropriated for the several districts in any such county for any one year, shall not in the aggregate, exceed such proportion of the total revenues collected for all purposes in such county during the preceding year, as the intangible property assessed in said county bears to the total assessed value of property of all kinds assessed therein for such preceding year.—Acts 1916, p. 769.

(Approved March 17, 1916.)

The board of supervisors of any county may, and the same is, hereby authorized and empowered to appropriate to the public schools of said county out of the general funds of the same in any one year a sum not exceeding twenty-five per centum of the amount collected in said county for county purposes during the next preceding year.—Acts 1916, p. 458.

Relating to Statement of Receipts and Disbursements Required to be Published Annually by School Boards

(Amends sec. 137, p. 102, School Laws.)

This amendment follows "Amount paid teachers, number of teachers) \$—————" (page 103), and the paragraph as amended, reads as follows:

Also a statement of any other expenditures not covered in either of the above items, which said statement shall be itemized in the following form: (*Provided, that the amount expended for other incidental expenses shall be further itemized as each of said boards may deem necessary or desirable.*)—Acts 1916, p. 788.

Time of Meetings of Board of Supervisors

(Substitute for first paragraph of sec. 138, p. 104, School Laws.)

The board of supervisors of each county shall have power, and it shall be their duty, *at regular meeting in month of January in each year or as soon thereafter as practicable, not later than their meeting in April:*

Omitted Taxes

(Following sec. 149, p. 114, School Laws.)

An act approved March 22, 1916, amending sec. 508 of the Code, (Acts 1916, p. 826), provides (sec. 6) that: All State taxes hereafter assessed and collected under this act are hereby appropriated to the public free schools of the primary and grammar grades, except the State taxes hereafter assessed and collected for pensions; provided, however, that not more than two hundred and fifty thousand dollars shall be paid for the appropriation year ending February twenty-eighth, nineteen hundred and seventeen, and not more than two hundred and fifty thousand dollars shall be paid for the appropriation year ending February twenty-eighth, nineteen hundred and eighteen.

Tax on Inheritance

(Following sec. 149, p. 114, School Laws.)

An act approved March 22, 1916 (Acts 1916, p. 812) in relation to tax upon inheritances provides that:

All taxes upon said inheritances paid into the State treasury shall be placed to the credit of the public school fund of the Commonwealth and shall be apportioned according to school population and be used for the primary and grammar grades.

Delinquent Capitation Taxes

(Following sec. 149, p. 114, School Laws.)

The schools, of course, receive their share of the delinquent capitation taxes collected under the provisions of an act approved March 22, 1916 (Acts 1916, p. 823).

Forest Reserve Fund

(Following sec. 149, p. 114, School Laws.)

An act approved March 16, 1916 (Acts 1916, p. 482) provides:

That all money or moneys which shall have already been paid, or which may hereafter be paid to the State of Virginia under an act of Congress approved May twenty-third, nineteen hundred and eight, and arising from the "Forest Reserve," shall be paid over to the auditor of

public accounts, and be turned into the State treasury, to be distributed and disposed of as hereinafter provided.

2. The treasurer of each county in which there is situated any land owned by the United States government and known as "Forest Reserve" shall ascertain the area of said land so situated in his county, and the "reserve" in which the same is located, and make report thereof to the auditor of public accounts. Upon receipt of such information from the treasurer, the auditor of public accounts shall apportion the amount received by him from the "reserve" in which the said land is located among the counties in which the said "Forest Reserve" is located, according to the area in each county; or if all of the fund received from one reservation lies in one county, it shall all be apportioned to that county, and the auditor of public accounts shall draw his warrant on the State treasury in favor of the treasurer of each county for the amount apportioned to said county, and such treasurer shall receive the same and place the funds to the credit of the public schools and the public roads of his said county, as hereinafter provided.

3. The funds above apportioned to the various counties shall by the treasurers thereof be placed to the credit of the magisterial districts in which the said land is located, in equal proportions, to the credit of the public schools and the public roads of said district; and if the land lies in two or more districts it shall be apportioned among them according to the area in each.

4. The auditor of public accounts shall keep separate accounts of all funds received by him under this act, designated as the "Forest Reserve Fund."

Appropriations by General Assembly for Schools for Each of the Fiscal Years Ending February 28, 1917, and February 28, 1918

(Substitute for sec. 151, p. 122, School Laws.)

Public Schools

| | | |
|---|--|----------------|
| Such sums as will be sufficient to pay the amount required by section fifteen hundred and seven of the Code of Virginia, as amended, to be applied to the support of the public free schools, estimated at the sum of one million, four hundred and nine thousand, nine hundred and seventy dollars and eighty-seven cents, and such additional sums as may accrue under the law..... | | \$1,409,970 87 |
| And the further sum of five hundred and eighty thousand dollars | | 580,000 00 |

This latter sum to be turned over to the State board of education and by that board apportioned as prescribed by the Constitution to the

public free schools of the several counties and cities of the Commonwealth, except, however, forty thousand dollars, or so much thereof as may be necessary, which the State board is authorized to expend in the maintenance of summer normal institutes, provided that no Virginia teacher shall be charged tuition in said summer normal institutes. From the sum turned over to the State board of education, as aforesaid, shall also be excepted the sum of one thousand dollars, or so much thereof as may be necessary, which the State board is authorized to expend in the maintenance of the public free schools at the Laurel reformatory, the sum of six hundred dollars, or so much thereof as may be necessary, which the State board of education is authorized to expend in the maintenance of the public free school at the negro reformatory in Hanover county, and the further sum of six hundred dollars, or so much thereof as may be necessary, which the State board is authorized to expend in the maintenance of the public free schools at the Virginia home and industrial school for girls, upon the same terms and conditions as the money is expended at the two reformatories above mentioned, and the further sum of two thousand dollars, or so much thereof as may be necessary, which the State board of education is authorized to expend for rent of offices which are rendered necessary by the crowded condition of the capitol building.

There shall also be excepted from the sum to be turned over to the State board of education, as aforesaid, the sum of seventy-five thousand dollars, or so much thereof as may be necessary, to be used under the rules and regulations of the State board of education for the establishment and maintenance of the rural graded schools of two, three and four rooms; provided, that no such school shall receive more than two hundred dollars, and any school receiving aid from this fund shall not receive aid from the high school fund. There shall also be excepted from the sum to be turned over to the State board of education, as aforesaid, the sum of two hundred thousand dollars to be used for the maintenance and development of rural schools of one and two rooms, the said sum to be used especially for the purpose of increasing the length of term in said schools; and shall be apportioned by the State board of education to the counties to be apportioned by the State board of education and the local school authorities among the one and two-room schools or used in the establishment of one and two-room schools as to the school authorities of the counties and State board of education may seem best, but no part of said fund shall be apportioned or paid to any rural school, unless the levies for district and county school purposes in which said school is situated aggregate a sum equal to or greater than the average rate of the levies of the district and county school funds of the Commonwealth.

For high schools, to be expended as per act creating public
high schools, one hundred thousand dollars; provided,

| | |
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| that so much of the six hundred and eighty thousand dollars, herein provided for the support of the public and high schools as may be necessary, not to exceed thirty-two thousand dollars, shall be devoted to the establishment and support of departments of agriculture, domestic economy, and manual training in at least one high school in each congressional district of the State, to be conducted under such rules and regulations as the State board of education may prescribe | \$ 100,000 00 |
| For normal instruction in high schools under chapter sixty-seven of the Acts of nineteen hundred and eight, twenty thousand dollars | 20,000 00 |
| For libraries in public schools, cities, towns and rural districts under chapter three hundred and sixteen, Acts of nineteen hundred and eight, and acts amendatory thereof, three thousand dollars..... | 3,000 00 |
| For school teachers' pension fund, as provided by Acts of nineteen hundred and ten, ten thousand dollars..... | 10,000 00 |
| Agricultural high schools—For equipment, maintenance, betterments and additional dormitory space, and for extension work in agriculture, gardening, canning and domestic science, as may be needed, to be expended under the supervision of the agricultural extension department of the agricultural and mechanical college and polytechnic institute, the sum of twenty-five thousand dollars | 25,000 00 |
| —Acts 1916, p. 898 and p. 925. | |

MISCELLANEOUS NEW ACTS OF ASSEMBLY—1916 SESSION

Allowing District or County School Boards (Under Certain Conditions) to Provide Free School Books for Children Attending the Public Schools and Instructing Boards of Supervisors and City Councils to Provide the Necessary Revenue

1. Each district school board of this Commonwealth is hereby authorized to furnish free of charge to all pupils in the public schools all books adopted for use in said school, said books to be paid for by each district school board or county school board, out of funds to be provided as herein prescribed. But no student shall be allowed more than one book of any one kind, free, for any one year.

2. Whenever twenty-five (25) per centum of the electorate (voting at the previous election) of any school district, shall petition the trustees of said district for the introduction of free text-books, then the said trustees of the said district shall certify in writing the fact to the

electoral board of said county or city who shall, at least thirty days before the next general election, see to it that the question is printed upon the official ballot of such election in type similar to that used for the rest of the ballot and in the following form: "For free text-books," "Against free text-books." If the majority of the votes cast on this question is for free text-books then the trustees of said district shall communicate in writing this fact to the board of supervisors or city council, as the case may be, together with a statement of the number of pupils enrolled in the district, and the amount of money needed to furnish free books, and it shall be the duty of the board of supervisors or city council to lay a levy for the purpose, or in lieu thereof to make an appropriation of the amount asked for by the said trustees, provided the same does not exceed one dollar for each pupil enrolled.

3. At such time as any district school board shall put this act into operation, it shall not be necessary to take up all the old books of the pupils, but to pupils wholly or in part supplied with necessary books the board may supply the books only as other or new books are needed. All school books furnished as herein provided shall be the property of the district school board and loaned to the pupils on such terms and conditions as each such district school board prescribes.

It shall be the duty of the district school board to adopt such rules and regulations as may be necessary to take care of said books.

4. Books for use in the schools shall be ordered at least thirty days before the opening of schools by the clerk of each district school board from such person or persons as may be designated by the State board of education, and at wholesale prices as provided by law.

5. The expenses of ordering and distribution shall be borne out of the district funds for free text-books provided in section two, the amount necessary to be determined by each district board, but in no case shall the expense of distribution, excluding freight, exceed four cents for each pupil enrolled for each session. It shall be lawful, by vote of the district board, for the district clerk to undertake the distribution of books, provided his compensation shall not exceed the amount named in this act.

6. In such counties as it may seem advisable to take a vote upon the free text-book question for the entire county as a unit, rather than by districts, upon written notice from the county school board to the electoral board of the county certifying that each school district in the county had duly petitioned each district board, as provided in section two of this act, the electoral board shall have placed upon the ballot for the entire county, in the same way and manner as provided in section two, the words "For free text-books," "Against free text-books." If the majority of those voting on this question declare in favor of free text-books then the supervisors are authorized to levy for the entire county the amount estimated by the county school board as needed to furnish said

books, not to exceed one dollar for each pupil enrolled in the public schools of said county, which amount shall be placed to the credit of "a free text-book fund for the county," to be disbursed by the county school board, and said county board is authorized to order said books in the same way and under the same conditions as provided in section four, for district school boards, and to pay the expense of distribution of said books as provided for the district school boards in section five of this act. Provided that this act shall not apply to any county or any school district in which the school session is not at least seven months long.

7. Any school district or county as a unit having once adopted above provisions or system, shall have the right to abolish the system by an election called and held as prescribed and regulated in sections 2 and 6 of this act, and if the majority of the votes cast is against the continuance of free books, the system shall be discontinued.—Acts 1916, p. 714.

District or City School Boards Authorized to Borrow Money on Short-Time Loans at Any Time During the Years 1916 and 1917

(Approved March 16, 1916.)

Whereas, some of the school districts of the State find it necessary to make temporary loans in order to adjust themselves to a new system of taxation; therefore,

1. Be it enacted by the General Assembly of Virginia, That the several district or city school boards of the State, desiring to borrow money for the purpose aforesaid, be, and the same are hereby, authorized to borrow a sum of money which shall not exceed the amount of the district levy for the year in which the loan is negotiated, such loans to be repaid at such time or times within the space of five years as may seem best to the respective school boards, and to bear interest at a rate not exceeding six per centum per annum.

2. The privileges conferred by the provisions of this act shall not extend longer than the first day of January, nineteen hundred and eighteen.

3. *An emergency existing by reason of the facts stated in the preamble, this act shall be in force from its passage.*—Acts 1916, p. 363.

To Provide United States Flag for Schools

1. Upon a petition of a majority of the patrons of any school in the State, the school authorities of each city and of each school district in the State of Virginia, shall provide for such public school within their jurisdiction a United States flag, commensurate with the size of the building, but of a size not less than four by six feet, together with a flag staff or pole, and the ropes, pulleys, and other paraphernalia needed for flying said flag.

2. That the money necessary for the purchase of said flag, flag staff and paraphernalia shall be used from the moneys in the hands of the said school authorities for school purposes, and when any of these articles shall become worn out or unfit for use, they shall be replaced by said authorities.

3. That the said flag shall be flown from a staff attached to the said school building; or from a pole located not more than fifty feet from said school building, and within the grounds adjacent to it.

4. That it shall be the duty of each teacher in a school employing one teacher only, and of the principal of each school employing more than one teacher, to see that said flag shall be flown from said flag staff, or pole during school hours of each school day in the year, from the hour of opening until the hour of closing the school under his or her charge except upon such days as an injury to the flag would be likely to result from flying it, by reason of inclement weather conditions.—Acts 1916, p. 327.

Unlawful to Use Common or “Roller Towel” in Public Schools, Etc.

1. It shall be unlawful for any person, firm or corporation to place, furnish or keep in place in any hotel, office building, railway train, railway station, public or private school, public lavatory or washroom, any towel for the common public use, and no person, firm or corporation in charge or control of any such place shall permit in such place the use of the common towel.

2. The term “common towel” as used herein shall be construed to mean “roller towel” and towels intended or available for common use by more than one person without being laundried after such use.

3. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars.—Acts 1916, p. 496.

Relating to Conveyance of Land to Benevolent or Literary Associations and School Leagues

When any conveyance of land has been or shall be made to trustees for the use of any society of Freemasons, Odd Fellows, Sons of Temperance, or any other benevolent or literary association, or *school league*, or if without the intervention of trustees such conveyance has been made since the thirty-first day of March, eighteen hundred and forty-eight, or shall be hereafter made for such use, sections thirteen hundred and ninety-nine, fourteen hundred and two, fourteen hundred and five, and fourteen hundred and six shall be construed as if they were expressly made applicable to such association.—Code, sec. 1407; Acts 1916, p. 830.

**Relating to Quantity of Land Benevolent or Literary Associations
and School Leagues May Hold**

The trustees for the use of any such association shall not hereafter take or hold, at one time, any land exceeding two acres, nor for any other use than as a place of meeting for such association, and for the education and maintenance of children charitably provided for by them; *provided, however, that any school league may hold as much as ten acres in addition, to be used as home for the principal of the school for which such school league is named.*—Code, sec. 1408; Acts 1916, p. 830.

Regulations of the State Board of Education

(Prescribed pursuant to the provisions of section 132 of the Constitution; section 7, sub-sec. "Fourth," page 17, School Laws, 1915.)

Use of School Funds—State, County, District

(Substitute for Regulation 103, page 193, School Laws, 1915.)

The State Fund shall be used for the following purposes and none other not authorized by statute:

a. For the pay of teachers, principals, supervising teachers' and supervising principals.

b. Any residue may be used to pay the drivers of school wagons. But no State funds shall be used in violation of section 1506 of the Code which provides that said fund shall be applied exclusively to the maintenance of primary and grammar schools.

County Fund.—County funds shall be used for the following purposes and none other:

a. For the purposes for which State funds may be lawfully used and to pay high school teachers, principals, supervising teachers and supervising principals.

b. To pay that part of the salary of the division superintendent which is payable out of the local school funds.

c. To pay the expenses of the school trustee electoral board.

d. To pay expenses incident to conducting county school fairs and the promotion of farm demonstration work.

e. To pay the necessary office expenses of the division superintendent when authorized by the county board.

f. To reimburse division superintendents for sums actually paid out and expenses incurred in traveling in the performance of official duties upon monthly accounts certified as correct over the signature of the division superintendent on blanks to be provided for the purpose by the superintendent of public instruction, which blanks shall show every item and date in detail, the names of the schools visited during the month, the date and place of educational meetings attended and the number of miles traveled in the performance of official duties. The said statements shall accompany the monthly report of the division superintendent to the superintendent of public instruction and a duplicate copy of said statement shall be filed with the clerk of the county board.

Where a superintendent travels with a common carrier he shall be allowed the actual cost of transportation. Where he travels in his own

conveyance or in a hired conveyance he shall be allowed 7 cents per mile for each mile traveled, and if while traveling in the performance of his official duties it becomes necessary for him to stop at a boarding house or hotel he shall be reimbursed for sums actually paid out for board and lodging upon receipt of the person to whom said sum was paid. Not more than \$200 shall be allowed for the traveling expenses of a division superintendent in any school year, nor shall any traveling expenses be allowed or disbursed except in the manner herein provided.

g. Or for such other purposes as the State board of education may allow by special resolution.

District Funds.—The district funds shall be used for the following purposes and none other:

a. For the purchases of real estate for school purposes and for building, furnishing and repairing school houses including sanitary out-houses and putting and keeping in order the grounds surrounding the same.

b. For the necessary contingent expenses of the district.

c. Any residue may be used for any of the purposes for which State or county funds may be lawfully used.

NEW REGULATIONS

(Following Regulation 135, p. 204, School Laws, 1915.)

Minimum Qualifications of Division Superintendents

136. The following minimum qualifications for the position of division superintendent of schools are hereby prescribed:

The applicant shall meet the qualifications as set forth in one of the following sub-sections numbered from one to four.

1. The applicant must show that he holds or has held a teacher's license at least the equivalent of a first-grade certificate, and must also show that he has had at least three years' experience as a teacher or school supervisor or principal within the ten years immediately preceding the commencement of the term of office for which he applies; or

2. The applicant must show that he has successfully completed at least two years of college work within ten years immediately preceding the commencement of the term of office for which he applies in a recognized college or normal school, and that the course which he has completed embraced at least three hours of education per week throughout each session; or

3. The applicant must show that he is a full graduate of a standard college, the degree having been conferred within ten years immediately preceding the commencement of the term of office for which he applies; or

4. The applicant must show that he has served as division superin-

tendent of schools in this State; provided that in case the applicant is not filling the office of division superintendent at the date of his application, he must meet the requirements as laid down in sections 1, 2 or 3 of this regulation.

The board may, in its discretion, waive that part of the qualifications set out in sub-section No. 1, requiring the applicants to hold, or to have held, a teacher's license equal to a first-grade certificate, whenever the board shall be of the opinion that the applicant has such training and experience as would entitle him to hold at least a certificate of this grade.

The Auditing Committee and Its Duties

137. The State board of education shall appoint annually two of its members to act as an auditing committee for a period of one year, and until their successors are appointed. The duty of said committee shall be to audit bi-monthly all of the accounts of all of the funds under the jurisdiction of the State board of education or the superintendent of public instruction, including the Teachers' Pension Fund, the Summer School Fund, the Literary Fund and the accounts of the Virginia Journal of Education, as well as all other accounts of moneys disbursed by the department of education or as to the disbursement of which this board is entrusted by law with any duty; and the said committee shall report specifically as to contingent expenses of the department, and as to the contingent and traveling expenses of all persons connected therewith, and shall from time to time recommend to the board such sums as should be fixed for said expenses.

The report of the committee shall be on a printed form to be prepared by the superintendent of public instruction in conference with the State accountant and the report of the auditing committee shall be presented for approval at each meeting immediately after the reading and approval of the minutes of the last meeting; and the said committee is instructed to associate with it, in the performance of its duties, the State accountant or one of his deputies whenever it is possible to do so.

Meetings of the Board

138. The State board of education shall meet on the third Tuesday of January, March, May, July, September and November at 11 A. M. Special meetings may be called at any time by the president of the board or by three members thereof.

Nomination of Employees of Department

139. The superintendent of public instruction, whenever he may think a necessity therefor has arisen, may, without first consulting the

board, employ until the next meeting thereof persons to perform special work and fix their compensation; but the superintendent shall report to the board for its approval, at its next meeting, his action hereunder.

The nominations of the superintendent of public instruction for secretary of this board, for first and second clerk, and other regular employees, shall be reported to this board for its approval before any such nominees shall enter upon the performance of their duties.

Procedure as to Charges Against School Official or Employee

140. Whenever the department of public instruction receives a charge against any public school official or employee, whose conduct is subject to review by this board, the said charge shall be read before the board in session, and the board shall then decide whether such charges require an investigation, and if so, when the same shall be set for hearing.

That no charge will be heard by the board unless it sets out facts which the board deems worthy of investigation, which facts must be supported by affidavit.

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